

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY  
**PERMIT**

TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON



Surface Water

(Issued in accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the Department of Ecology.)



Ground Water

(Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE April 13, 1994	APPLICATION NUMBER S3-29684	PERMIT NUMBER S3-29684	CERTIFICATE NUMBER
---------------------------------	--------------------------------	---------------------------	--------------------

NAME David R. Severn			
ADDRESS (STREET) N. 12411 Vistawood Ct.	(CITY) Spokane	(STATE) WA	(ZIP CODE) 99218

The applicant is pursuant to the Report of Examination which has been accepted by the applicant, hereby granted a permit to appropriate the following public waters of the State of Washington, subject to existing rights and to the limitations and provisions set herein.

**PUBLIC WATERS TO BE APPROPRIATED**

SOURCE unnamed spring/pond		
TRIBUTARY OF (IF SURFACE WATERS) Little Spokane River		
MAXIMUM CUBIC FEET PER SECOND 1.0 cfs	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE FEET PER YEAR 128.1
QUANTITY, TYPE OF USE, PERIOD OF USE 1.0 cubic feet per second, 127.1 acre-feet per year for irrigation of 43 acres from April 1 to October 31, and 1 acre-foot per year for continuous stockwater		

**LOCATION OF DIVERSION/WITHDRAWAL**

APPROXIMATE LOCATION OF DIVERSION--WITHDRAWAL 550 feet south and 500 feet east of the northwest corner of Section 7
--

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) NW¼NW¼	SECTION 7	TOWNSHIP N. 26	RANGE, (E. OR W.) W.M. 43	W.R.I.A. 55	COUNTY Spokane
---	--------------	-------------------	------------------------------	----------------	-------------------

**RECORDED PLATTED PROPERTY**

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
-----	-------	------------------------------------

**LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED**

That portion of the SE¼SE¼ of Sec. 1, T. 26 N., R. 42 E.W.M.; AND that portion of the NE¼NE¼ of Sec. 12, T. 26 N., R. 42 E.W.M.; AND that portion of the SW¼SW¼ of Sec. 6, T. 26 N., R. 43 E.W.M.; AND that portion of the NW¼NW¼ of Sec. 7, T. 26 N., R. 43 E.W.M., described as follows:

Beginning at the NE corner of Sec. 12; thence South along the East line of Sec. 12, a distance of 312.10 feet; thence S 67°49'19" W 97.46 feet; thence S 61°50'12" W 77.82 feet; thence S 38°08'13" W 100.95 feet; thence S 82°10'59" W 162.02 feet; thence S 77°31'14" W 103.88 feet; thence N 86°19'58" W 93.14 feet; thence N 76°18'28" W 63.16 feet; thence N 65°26'58" W 86.30 feet; thence N 74°17'09" W 70.28 feet; thence N 80°31'02" W 205.72 feet; thence N 87°53'24" W 302.28 feet; thence N 0°00'49" E 375.60 feet; thence S 77°35'09" W 61.03 feet to a point on the West line of the NE¼NE¼; thence N 0°00'49" E along said west line 80.00 feet to the NW corner of the NE¼NE¼, said point being the True Point of Beginning; thence S 0°00'49" W along said West line 80 feet; thence N 77°35'09" E 61.03 feet; thence S 0°00'49" W 375.60 feet; thence S 87°53'24" E 302.28 feet; thence S 80°31'02" E 205.72 feet; thence S 74°17'09" E 70.28 feet; thence S 65°26'58" E 86.30 feet; thence S 76°18'28" E 63.16 feet; thence S 86°19'58" E 93.14 feet; thence N 77°31'14" E 103.88 feet; thence N 82°10'59" E 162.02 feet; thence N 38°08'13" E 100.95 feet; thence N 61°50'12" E 72.82 feet; thence N 67°49'19" E 97.46 feet; thence continuing N 67°50' East, 29.68 feet into said Section 7; thence S 0°12' W, 652.37 feet to the center line of a creek flowing Northeasterly and Northerly into the Little Spokane River; thence along the center line of said creek to its junction with the center line of the Little Spokane River, said Junction being in the SW¼SW¼ of said Sec. 6; thence Westerly downstream along the center line of the Little Spokane River to the Intersection of said Little Spokane River with the North line of the NE¼NE¼ of Sec. 12; thence West along said North line to the True Point of Beginning; Situate in the County of Spokane, State of Washington.



DESCRIPTION OF PROPOSED WORKS

Current installation - a 7 1/2 HP Centrifical Pump and handlines

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE: June 1, 2002	COMPLETE PROJECT BY THIS DATE: June 1, 2003	WATER PUT TO FULL USE BY THIS DATE: June 1, 2004
---	--	---

PROVISIONS

The amount of water granted is a maximum limit that shall not be exceeded and the water user shall be entitled only to that amount of water within the specified limit that is beneficially used and required for the actual crop grown on the number of acres and the place of use specified.

Use of water under this authorization shall be contingent upon the water right holder's utilization of up to date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities.

An approved measuring device shall be installed and maintained in accordance with RCW 90.03.360 and/or WAC 508-64-020 through WAC 508-64-040. The permittee will record the quantity of water diverted on a monthly basis and submit the data to Ecology on an annual basis (no later than February 15<sup>th</sup> of each year).

The permittee is required to bypass all of the flow from the pond that is not diverted through this water right through the unnamed stream and to allow it to discharge into the Little Spokane River.

The permittee will take a monthly measurement of the flow of No Name Creek. Ecology will instruct the permittee on proper measuring and reporting methodology. The permittee will submit those finding to the Department of Ecology on an annual basis no later than February 15, each year.

This authorization to make use of public waters of the State is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise.

A certificate of water right will not be issued until a final examination is made. Such final proof examination shall be performed by Ecology within one year after the permittee files a notice of proof of appropriation with Ecology.

The water quantities and uses recommended and/or the number of acres to be irrigated may be reduced at the time of issuance of a final water right commensurate with the capacity of the installed system and the uses and/or the number of acres actually irrigated.

Nothing in this authorization shall be construed as satisfying other applicable federal, state, or local statutes, ordinances, or regulations.

The construction of the facilities for the appropriation under the permit may require removal of material from or adjacent to a stream channel or watercourse. A hydraulic Approval may be obtained from the Department of Fish and Wildlife prior to commencing work.

No dam shall be constructed in connection with this diversion unless such a dam is authorized under applicable laws and regulations: this permit does not authorize the construction of a dam in connection with this diversion without proper authorization. A dam may be constructed if application is made, or, simply limit the point of diversion to the specific spot). It is agreed between the parties that all improvements on the Severn property that have been previously approved and authorized by County, State and/or Federal Agencies shall not be effected by this agreement and may continue to function in there current capacity.

That portion of this authorization relating to irrigation is classified as a Family Farm Permit in accordance with Chapter 90.66 RCW (Initiative Measure No. 59). This means the land being irrigated under this authorization shall comply with the following definition: Family Farm - a geographic area including not more than 6,000 acres of irrigated agricultural lands, whether contiguous or noncontiguous, the controlling interest in which is held by a person having a controlling interest in no more than 6,000 acres of irrigated agricultural lands in the State of Washington which are irrigated under water rights acquired after

This permit shall be subject to cancellation should the permittee fail to comply with the above development schedule and/or to give notice to the Department of Ecology on forms provided by that Department documenting such compliance.

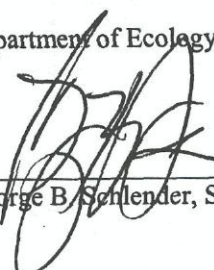
Given under my hand and the seal of this office at Spokane, Washington,

this 12th day of February, 2002.

ENGINEERING DATA  
OK CAC



Department of Ecology

by   
George B. Schlender, Section Manager



Provisions continued

December 8, 1977. Furthermore, the land being irrigated under this authorization must continue to conform to the definition of a family farm.

WAC 173-555

All diversion for irrigation purposes shall cease when the flow of the river near its confluence with the Little Spokane River falls to or below those flows given in the following table:

cubic feet per second												
DAY	JAN		FEB		MAR		APR		MAY		JUNE	
	1	15	1	15	1	15	1	15	1	15	1	15
	CFS	400	400	400	420	435	460	490	460	440	420	395

cubic feet per second												
DAY	JULY		AUG		SEPT		OCT		NOV		DEC	
	1	15	1	15	1	15	1	15	1	15	1	15
	CFS	375	375	375	375	375	380	385	390	400	400	400

The management and regulation shall be accomplished in accordance with the Water Resources Management Program, Little Spokane River Basin, August 1975 and WAC 173-555 effective January 6, 1976.



COPY

STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

4601 N. Monroe Street • Spokane, Washington 99205-1295 • (509) 456-2926

February 12, 2002

Mr. David R. Severn  
North 12411 Vistawood CT  
Spokane, WA 99218

Dear Mr. Severn:

Re: Surface Water Permit No. S3-29684P

Enclosed is Permit No. S3-29684P. We are in receipt of your permit fees in the amount of \$37.20. Under the development schedule contained in the permit, construction work for your project shall be started by June 1, 2002.

We are also enclosing a Notice of Beginning of Construction to be submitted to this office when the work is started.

Please read carefully the enclosed instruction sheet as well as both sides of your permit.

Sincerely,

A handwritten signature in cursive script that reads "Cindy A. Christian".

Cindy A. Christian  
Water Resources Program

CAC:mjw  
Enclosures